

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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Nuclear Regulatory Commission  
Commission Hearing Room  
11555 Rockville Pike  
Rockville, Maryland  
May 11, 2012

The Commission met in open session, pursuant to notice, at 8:55 p.m.,  
Gregory B. Jaczko, Chairman, presiding.

COMMISSIONERS PRESENT:

GREGORY B. JACZKO, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

GEORGE APOSTOLAKIS, Member of the Commission\*

WILLIAM D. MAGWOOD, IV, Member of the Commission

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

MARIAN ZOBLER, Acting General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

\*Participated via speaker phone.

## DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on May 11, 2012 in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

[8:55 a.m.]

## P R O C E E D I N G S

CHAIRMAN JACZKO: Good Morning, everyone. We have two items for affirmation, Annette do you want to read them?

MS. VIETTI-COOK: Commissioner Apostolakis can you hear me okay?

COMMISSIONER APOSTOLAKIS: Yes, I can.

MS. VIETTI-COOK: Okay, the first item is the Final Rule: Requirements for Maintenance of Inspections, Tests, Analyses, and Acceptance Criteria. The Commission is being asked to act on a final rule amending the regulations in Title 10 of the *Code of Federal Regulations*, Section 52.99, "Inspection during construction," related to the verification of nuclear power plant construction activities through inspections, tests, analyses, and acceptance criteria (ITAAC) under a combined license. The rule adds new provisions that apply after a licensee has completed an ITAAC verification and submitted an ITAAC closure letter under 10 CFR 52.99(c)(1).

The Commission has voted to approve the publication and implementation of this final rule subject to the changes noted in the attachment. Would the Commissioners in the room please affirm your vote.

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

COMMISSIONER MAGWOOD: Aye.

MS. VIETTI-COOK: Commissioner Apostolakis would you please affirm your vote.

COMMISSIONER APOSTOLAKIS: Aye.

MS. VIETTI-COOK: The second item is on Strata Energy Incorporated (Ross in situ Recovery Uranium Project). The Commission is being asked to act on a Memorandum and Order responding to appeals by the NRC Staff and Strata Energy, Incorporated of the Atomic Safety and Licensing Board's decision granting a hearing to the Natural Resources Defense Council and the Powder River Basin Resource Defense Council (together referred to as Joint Petitioners) in the Ross in situ uranium recovery facility licensing proceeding. The Commission has voted to approve a Memorandum and Order, which affirms the Board's order with respect to its finding of standing for Joint Petitioners. Would the Commissioners in the room please affirm your vote.

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

COMMISSIONER MAGWOOD: Aye.

MS. VIETTI-COOK: Commissioner Apostolakis would you please affirm your vote.

COMMISSIONER APOSTOLAKIS: Aye.

MS. VIETTI-COOK: Thank you.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session  
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: May 11, 2012

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: Clara I. Sola

Reporter: (TAPE RECORDING)